

ORIGINAL

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UNITED STATES OF AMERICA

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00189 DAE
	)	
Plaintiff,	)	SUPERSEDING INDICTMENT
	)	
vs.	)	[21 U.S.C. §§ 841(a)(1)
	)	(b)(1)(A), (b)(1)(B),
KEITH SEICHI IMAI, (01)	)	843(b), 846, 853 and
JEFFREY KAMA, and (02)	)	18 U.S.C. §§ 2, 922(g)(1)
	)	and 924(a)(2) & (c)(1)]
Defendants.	)	
	)	

SUPERSEDING INDICTMENT

COUNT 1:

The Grand Jury charges that:

From a time unknown but at least from on or about  
January 1, 2001, to and including April 13, 2005, in the District  
of Hawaii, and elsewhere,

KEITH IMAI, and  
JEFFREY KAMA,

defendants herein, along with Shawna Kaulukukui, and Michael Miyasato who are no longer defendants in this case, did willfully and unlawfully conspire together with each other and others known and unknown to the grand jury, to include Russell Mizuguchi, to knowingly and intentionally distribute and possess with intent to distribute, fifty (50) grams of more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

It was the object of the aforesaid conspiracy to distribute and possess methamphetamine for distribution in Hawaii.

#### OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, the defendants performed overt acts in the District of Hawaii and elsewhere which include, but are not limited to, the following:

1. On or about November 16, 2004, Russell Mizuguchi spoke on the telephone with Keith IMAI concerning the sale of a quantity of drugs.

2. On or about November 23, 2004, Russell Mizuguchi spoke on the telephone with Keith IMAI concerning the sale of a quantity of drugs.

3. On or about November 23, 2004, Jeffrey KAMA spoke on the telephone with Keith IMAI concerning the sale of a quantity of drugs.

4. On or about December 4, 2004, Jeffrey KAMA spoke on the telephone with Keith IMAI concerning the sale of a quantity of drugs.

5. On or December 4, 2004, Keith IMAI distributed approximately 32 grams of methamphetamine to Jeffrey KAMA.

6. On or about December 4, 2004, Jeffrey KAMA was in possession of approximately 32.8 grams of methamphetamine.

7. On or about December 9, 2004, Shawna Kaulukukui spoke on the telephone with Keith IMAI concerning the sale of a quantity of drugs.

8. On or about December 9, 2004, Keith IMAI distributed approximately 51 grams of methamphetamine to Shawna Kaulukukui.

9. On or about December 9, 2004, Shawna Kaulukukui was in possession of approximately 51 grams of methamphetamine.

10. On or about December 10, 2004, Shawna Kaulukukui spoke on the telephone with Keith IMAI concerning the sale of a quantity of drugs.

11. On or about January 12, 2004, Michael Miyasato spoke on the telephone with Keith IMAI concerning the sale of a quantity of drugs.

12. On or about January 23, 2005, Michael Miyasato spoke on the telephone with Keith IMAI concerning the sale of a quantity of drugs.

13. On or about January 25, 2005, Keith IMAI distributed approximately 5 grams of methamphetamine to Michael Miyasato.

14. On or about January 25, 2005, Michael Miyasato was in possession of five (5) grams of methamphetamine.

15. On or about February 4, 2005, Keith IMAI distributed approximately eight (8) grams of methamphetamine to Michael Miyasato.

16. On or about February 4, 2005, Michael Miyasato was in possession of eight (8) grams of methamphetamine.

All in violation of Title 21, United States Code, Section 846.

COUNT 2:

The Grand Jury further charges that:

On or about December 4, 2004, in the District of Hawaii, and elsewhere, **KEITH IMAI**, did knowingly and intentionally possess with intent to distribute, and distribute, 5 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B) and Title 18 United States Code, Section 2.

COUNT 3:

The Grand Jury further charges that:

On or about December 4, 2004, in the District of Hawaii, and elsewhere, **JEFFREY KAMA**, did knowingly and intentionally possess, with intent to distribute, in excess of 5 grams of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B) and Title 18 United States Code, Section 2.

COUNT 4:

The Grand Jury further charges that:

On or about December 9, 2004, in the District of Hawaii, and elsewhere, **KEITH IMAI**, did knowingly and intentionally possess with intent to distribute, and distribute, 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and Title 18 United States Code, Section 2.

COUNT 5:

On or about January 25, 2005, in the District of Hawaii, and elsewhere, **KEITH IMAI**, did knowingly and intentionally possess with intent to distribute, and distribute, 5 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation

of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B) and Title 18 United States Code, Section 2.

COUNT 6:

On or about February 4, 2005, in the District of Hawaii, and elsewhere, **KEITH IMAI**, did knowingly and intentionally possess with intent to distribute, and distribute, 5 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B) and Title 18 United States Code, Section 2.

COUNT 7:

On or about December 4, 2004, within the District of Hawaii, **JEFFREY KAMA**, did knowingly and intentionally carry a firearm, to wit: a "Q.F.I." brand model S.A. 25, .25 caliber semi-automatic pistol, serial number AM01824<sup>car</sup>~~F~~, and ammunition, to wit: two (2) "PMC" brand and five (5) "Winchester" brand .25 caliber rounds, during and in relation to a drug trafficking offense for which he may be prosecuted in a court of the United States, to wit, the offense described in Count 3 of this indictment, in violation of Title 18, United States Code, Section 924(c)(1).

COUNT 8:

The Grand Jury further charges that:

On or about April 14, 2005, within the District of Hawaii, **KEITH IMAI**, having been convicted of a crime punishable

by imprisonment for a term exceeding one year, did possess in and affecting commerce ammunition, to wit: sixty-five (65) rounds of .32 caliber "Winchester" brand ammunition and six (6) rounds of .380 caliber "Federal" brand ammunition, all in violation of Title 18, United States Code, Section 922(g)(1) and 924(a)(2).

COUNT 9:

The Grand Jury further charges that:

On or about November 16, 2004, within the District of Hawaii, **KEITH IMAI** and **RUSSELL MIZUGUCHI**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 10:

The Grand Jury further charges that:

On or about November 23, 2004, within the District of Hawaii, **KEITH IMAI** and **RUSSELL MIZUGUCHI**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 11:

The Grand Jury further charges that:

On or about November 23, 2004, within the District of Hawaii, **KEITH IMAI and JEFFREY KAMA**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 12:

The Grand Jury further charges that:

On or about December 4, 2004, within the District of Hawaii, **KEITH IMAI and JEFFREY KAMA**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 13:

The Grand Jury further charges that:

On or about December 9, 2004, within the District of Hawaii, **KEITH IMAI** and Shawna Kaulukukui, used and caused to be used a communications facility, that is a telephone, in causing

or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 14:

The Grand Jury further charges that:

On or about December 10, 2004, within the District of Hawaii, **KEITH IMAI** and Shawna Kaulukukui, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 15:

The Grand Jury further charges that:

On or about January 11, 2005, within the District of Hawaii, **KEITH IMAI** and Russell Mizuguchi, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 16:

The Grand Jury further charges that:

On or about January 12, 2005, within the District of Hawaii, **KEITH IMAI** and Michael Miyasato, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 17:

The Grand Jury further charges that:

On or about January 23, 2005, within the District of Hawaii, **KEITH IMAI** and Michael Miyasato, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 18:

The Grand Jury further charges that:

On or about March 8, 2005, within the District of Hawaii, **KEITH IMAI** and Russell Mizuguchi, used and caused to be used a communications facility, that is a telephone, in causing

or facilitating the commission of a conspiracy to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 19:

As a result of committing the offense alleged in Count 1 of this Superseding Indictment, Defendant **KEITH IMAI** shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting and/or derived from, any proceeds which Defendant **KEITH IMAI** obtained, directly and/or indirectly, as the result of such offense and/or any and all property used, and/or intended to be used, in any manner or part, to commit, and/or to facilitate the commission of such offense, including but not limited to the following:

\$5,486 in United States currency seized on February 25, 2005, from Defendant Keith Imai's residence.

All in violation of Title 21, United States Code, Section 853.

COUNT 20:

As a result of committing the offense alleged in Count 1 of this Superseding Indictment, Defendant **KEITH IMAI** shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting and/or derived from, any proceeds which Defendant **KEITH IMAI** obtained, directly and/or

indirectly, as the result of such offense and/or any and all property used, and/or intended to be used, in any manner or part, to commit, and/or to facilitate the commission of such offense, including but not limited to the following:

\$7,285 in United States currency seized on April 13, 2005, from Defendant Keith Imai's business.


All in violation of Title 21, United States Code, Section 853.

DATED: November 16, 2006 at Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson  
FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

  
FLORENCE T. NAKAKUNI  
Chief, Narcotics Section

  
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U.S. v. Keith Imai, et al.  
"Superseding Indictment"  
Cr. No. 05-00189 DAE-